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PATENT
Attorney Docket No.: 082368-007400US
Client Reference No.: ONC-A0306P1-US

TOWNSEND and TOWNSEND and CREW LLP

By: /Aaron Nakamura/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yusuke NAKAMURA et al.

Application No.: 10/573,522

Filed: August 10, 2004

For: METHOD OF DIAGNOSING
BREAST CANCER

Confirmation No.: 2942

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references AD - AM provided herewith. Copies of references AA-AC are not provided in compliance with the provisions of 37 CFR §1.98(a)(2). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

/Kevin Bastian/

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60629256 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/573,522
		Filing Date	August 10, 2004
		First Named Inventor	Nakamura, Yusuke
		Art Unit	
		Examiner Name	
Sheet 1	of 2	Attorney Docket Number	082368-007400US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	6,365,359	B1	04-02-2002	Hilman et al.	
	AB	2003/0157544	A1	08-21-2003	Gish et al.	
	AC	2003/0104418	A1	06-05-2003	Zhang et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AD	WO	02/04514	A2	01-17-2002	Conixa Corporation		<input type="checkbox"/>

Examiner Signature	Date Considered
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60628256 v1

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/573,522
		Filing Date	August 10, 2004
		First Named Inventor	Nakamura, Yusuke
		Art Unit	
		Examiner Name	
(Use as many sheets as necessary)		Attorney Docket Number	062368-007400US
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AE	ADAM, Paul J. et al.; "Arylamine N-acetyltransferase-1 is highly expressed in breast cancers and conveys enhanced growth and resistance to etoposide in vitro"; <u>Molecular Cancer Research</u> 1:826-835 (September 2003)	<input type="checkbox"/>
	AF	DRESSMAN, Marlene A. et al.; "Gene expression in profiling detects gene amplification and differentiates tumor types in breast cancer"; <u>Cancer Research</u> 63:2194-2199 (May 1, 2003)	<input type="checkbox"/>
	AG	GEYLAN, Y.S. et al.; "Arylamine N-acetyltransferase activities in human breast cancer tissues"; <u>Neoplasma</u> 48(2):109-111 (2001)	<input type="checkbox"/>
	AH	LIPKOWITZ, Stan; "Ubiquitin mediated degradation of growth factor receptors in the pathogenesis and treatment of cancer"; <u>Breast Cancer Research</u> 5(1):8-15 (2003)	<input type="checkbox"/>
	AI	ORLOWSKI, Robert Z. and E. Claire Dees; "Applying drugs that affect the ubiquitin-proteasome pathway to the therapy of breast cancer"; <u>Breast Cancer Res</u> 5:1-7 (2003)	<input type="checkbox"/>
	AJ	PEROU, Charles M. et al.; "Molecular portraits of human breast tumours"; <u>Nature</u> 406(6797):747-752 (August 2000)	<input type="checkbox"/>
	AK	SGROI, Dennis C. et al.; "In vivo gene expression profile analysis of human breast cancer progression"; <u>Cancer Research</u> 59:5656-5661 (November 15, 1999)	<input type="checkbox"/>
	AL	DATABASE; EBI Accession No. AAM56211; "Sequence 1 from patent US 6365358", June 20, 2002	<input type="checkbox"/>
	AM	DATABASE; EBI Accession No. AX369194; "Sequence 1904 from patent WO0204514", February 15, 2005	<input type="checkbox"/>

Examiner Signature	Date Considered
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